



**HISTORIC LANDMARKS COMMISSION
HEARING SYNOPSIS**

WEDNESDAY, MAY 21, 2003

Special Meeting

Evening Session

5:00 P.M.

San Jose Redevelopment Agency

50 West San Fernando

Board Room 11th Floor

San Jose, CA

COMMISSION MEMBERS

GLORIA SCIARA, CHAIR

STEPHEN BOY, SAN JOSE CHAIR

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting.

NOTICE TO THE PUBLIC

Good evening, my name is **Gloria Sciara**, and I am the Chair of the Historic Landmarks Commission. On behalf of the Commission, I would like to welcome you to tonight's meeting. I will now call to order the May 21, 2003 meeting of the Historic Landmarks Commission. Please remember to turn off your cell phones and pagers.

When addressing the Commission, please approach the Commission, identify yourself and state your address for our records. After you have finished speaking, please write your name and address on the speaker's list at the end of the table.

The procedure for public hearings is as follows:

- ? After the staff report, applicants may make a five-minute presentation.
- ? Anyone wishing to speak in favor of the proposal should prepare to come forward. Each speaker will have two minutes.
- ? After the proponents speak, anyone wishing to speak in opposition should prepare to come forward. Each speaker will have two minutes.
- ? Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- ? The Commission will then close the public hearing. The Historic Landmarks Commission will take action on the item.

The procedure for referrals is as follows:

- ? Anyone wishing to speak on a referral will be limited to one minute.
- ? Commissioners may ask questions of the speakers. These questions will not

AGENDA
ORDER OF BUSINESS

5:00 PM SESSION

1. ROLL CALL

SCIARA, ABSENT

2. DEFERRALS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the table. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

The matter of deferrals is now closed.

The following items are considered individually.

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Historic Landmarks Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please make your request at this time.

3. CONSENT CALENDAR

NONE

The Consent Calendar is now closed.

on the next agenda. All statements that require a response will be referred to staff for reply in writing.

NONE

6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES

ITEMS 6a.. AND 6b.. TAKEN OUT OF ORDER

a. REPORT AND DISCUSSION REGARDING THE CIM MIXED USE DEVELOPMENT PROJECT IN THE DOWNTOWN COMMERCIAL HISTORIC DISTRICT -- DESIGN SCHEMATICS

NO STAFF REPORT

RTK ARCHITECTS PRESENTED THE DESIGN FOR THE SITE ON THE EAST SIDE OF S. 2ND ST. BETWEEN VOO-DOO LOUNGE (12-14 S. 2ND ST.) AND ZANOTTO'S MARKET (40-50 S. 2ND ST.).

COMMISSIONER LEGASPI ASKED ABOUT PROVISIONS FOR OFF-STREET PARKING.

ACTING CHAIR POLCYN ASKED WHETHER THERE WERE ANY PUBLIC RETAIL USES ON THE SECOND FLOOR PLAZA. RTK REPLIED THAT THERE WERE NOT.

COMMISSIONER YUMANS NOTED THAT THE FEATURES OF THE NEW BUILDING SEEMED TO BE PICKING-UP ON DECO FEATURES. RTK RESPONDED THAT THEY WERE PICKING-UP ON THE ZANOTTO'S BUILDING'S ITALIANATE WINDOWS, CORNICE LINES AND STOREFRONTS.

COMMISSIONER PAIM COMMENTED THAT THE SARATOGA CAPITOL BUILDING (52-78-E. SANTA CLARA ST.) AND THE VOO-DOO LOUNGE SEEMED DWARFED BY THE NEW BUILDING, AND NOTED THAT WAS A CONCERN BECAUSE OF THE STRONG INTERFACE WITH THOSE HISTORIC BUILDINGS. PAIM STATED

COMMISSIONER YOUNGMAN EXPRESSED CONCERN THAT THE BUILDING WAS A LITTLE ANTISEPTIC, AND THAT ITS MATERIALS NEEDED TO BE COMPATIBLE WITH THE DISTRICT.

COMMISSIONER JANKE ECHOED COMMENTS BY THE OTHER COMMISSIONERS OVER WHAT HE COUNTED TO BE ONE DOZEN DIFFERENT KINDS OF MATERIALS. JANKE NOTED THAT THE MOSAIC WITH PLASTER MIGHT BE USED ON A THEATRE, AND THAT THE ENTRY PIECE LOOKED LIKE A MARQUEE. JANKE ACKNOWLEDGED THE DILEMMA OF PUTTING FOUR STORIES INTO THREE, BUT REITERATED THAT THE NUMBER OF MATERIALS WOULD BE DIFFICULT TO DETAIL.

COMMISSIONER LEONG NOTED THAT THE CHEVRON ELEMENT AT THE AXIS TO FOUNTAIN ALLEY LOOKED LIKE A PUBLIC LOBBY. RTK EXPLAINED THAT PRIVATE LIVING UNITS WERE LOCATED BEHIND THAT ELEMENT.

COMMISSIONER PAIM NOTED THAT THE COMPOSITION OF THE SARATOGA CAPITOL BUILDING ACTUALLY HAD SUBTLE CLUES TO HELP PEDESTRIANS FIND DOORS AND ROUND CORNERS. PAIM WONDERED IF THE ART DECO THEATRE APPROACH OF THE NEW BUILDING MIGHT NOT NEED TO BE SUBTLER.

ACTING CHAIR POLCYN EXPRESSED CONCERN ABOUT THE CHEVRON ELEMENT'S TOP AND THE THIN COLUMNS AT ITS BASE.

COMMISSIONER PAIM NOTED THAT PEDESTRIANS SENSE THE PROPORTIONS OF THE BUILDINGS' RHYTHMS, EVEN IF THEIR EYES DO NOT ALWAYS TAKE THE ENTIRE BUILDING IN AT ONE TIME.

PLANNING STAFF SALLY ZARNOWITZ ASKED HOW THE NEW BUILDING ADDRESSED THE SMALLER BUILDINGS ON S. 2ND ST. AND S. 3RD ST.

COMMISSIONER PAIM SUGGESTED THAT THERE MIGHT BE A

FURNITURE) HAS NOT BEEN WELL ENOUGH ADDRESSED. HENDERSON NOTED THAT ON THE FOURTH STORY OF THE INFILL ON 2ND STREET, THE MATERIALS AND THE MARQUEE DO NOT PICK-UP ON THE CHARACTER OF THE STREET.

KATE BORUFF/ PAC SJ NOTED THAT THE FOURTH STORY WAS SET BACK ONLY ONE FOOT, WHILE THE AWNINGS WOULD PROJECT BEYOND THAT DEPTH. BORUFF NOTED FURTHER THAT THE BUILDING STILL FEELS MASSIVE.

PATT CURIA/PAC SJ ASKED HOW THE LIGHTS ON THE FOURTH FLOOR WOULD BE CHANGED.

ACTING CHAIR POLCYN ASKED WHY THE FOURTH STORY WAS SO SHORT, AND NOTED THAT IT LOOKED LIKE 3 ½ STORIES. RTK RESPONDED THAT THEY WERE TRYING TO CREATE SOME VARIETY IN THE STREET WALL AND BREAK DOWN THE SCALE OF THE BUILDING.

KATE BORUFF/ PAC SJ EXPRESSED CONCERN ABOUT THE FIVE FT. EYE-LEVEL OF THE GRANITE BASE. BORUFF NOTED THAT IT WOULD BE UNCOMFORTABLE AT THE PEDESTRIAN LEVEL.

COMMISSIONER JANKE NOTED THAT THE GRANITE DID NOT NEED TO BE A SOLID SLAB. JANKE NOTED FURTHER THAT IF THE AWNINGS ON THE FOURTH FLOOR WERE NOT FUNCTIONAL, THEN THEY WERE EGREGIOUS DECORATIONS AND SHOULD BE RECONSIDERED.

COMMISSIONER PAIM NOTED THAT IT WAS OBVIOUS THAT RTK HAD PUT A LOT OF ENERGY INTO THIS DIFFICULT PROJECT, AND THAT THEY SHOULD BE COMMENDED FOR SO MUCH WORK IN SUCH A SHORT AMOUNT OF TIME. OTHER COMMISSIONERS AGREED.

- a. UPDATE AND DISCUSSION REGARDING THE PROPOSED DOWNTOWN ZONING ORDINANCE**

NEIGHBORHOOD TRANSITION AREA THAT HAS REQUESTED NOT TO BE ZONED DC.

- ? A MATRIX (SEE ATTACHED) COMPARING DOWNTOWN ZONING PROVISIONS (CURRENT, WHAT IS IN THE ZONING ORDINANCE BUT HAS NOT BEEN ADOPTED AND PROPOSED) DEALING WITH LANDMARK STRUCTURES AND DISTRICTS. FOR ALL DEVELOPMENT WITHIN 100 FT. OF A LANDMARK STRUCTURE (CL) OR HISTORIC DISTRICT (HD), THE MATRIX PROPOSES TO REPLACE THE REQUIREMENT FOR A CONDITIONAL USE PERMIT (CP) [APPROVED BY PLANNING COMMISSION AND APPEALABLE TO CITY COUNCIL] WITH A SPECIAL SITE DEVELOPMENT PERMIT (H) [REFERRED TO LANDMARKS COMMISSION FOR COMMENT, APPROVED BY THE DIRECTOR OF PLANNING/REDEVELOPMENT AGENCY DIRECTOR AND APPEALABLE TO CITY COUNCIL].**

ACTING CHAIR POLCYN STATED THAT THE PRESERVATION COMMUNITY AND THE HISTORIC LANDMARKS COMMISSION (HLC) HAVE COMMENTED ON THE PROBLEMS WITH THE PROPOSED DOWNTOWN DESIGN GUIDELINES.

D. KORABIAK REPLIED THAT THE HISTORIC DISTRICT DESIGN GUIDELINES AS PRESENTLY PROPOSED ARE NOT GOING FORWARD. SJRA HAS RECEIVED COMMENTS REGARDING THE LIMITED AREA OF APPLICABILITY AND THE DETAILS. THE SJRA IS PROPOSING TO TAKE THE GUIDELINES OUT OF THE DOWNTOWN ZONING APPROVAL PROCESS AND BRING THEM BACK TO THE CITY COUNCIL WITH COMMUNITY CONSENSUS FOR APPROVAL ON THE CONDITION THAT THEY ADDRESS THE ENTIRE DOWNTOWN CORE AREA.

K. BORUFF/PAC SJ ASKED IF A PLANNED DEVELOPMENT ZONING WOULD EVER BE USED, AND D. KORABIAK ANSWERED THAT THE PD ZONING SHOULD NOT HAVE TO BE USED DOWNTOWN.

K. BORUFF/PAC SJ REITERATED THAT THE MAP FOR THE

K. BORUFF/PAC SJ REPLIED THAT IT IS DIFFICULT TO APPROVE OF (ZONING ORDINANCE LANGUAGE) THAT HAS NOT BEEN SEEN. SHE ASKED IF CHANGES COULD BE MADE TO THE SITE PERMIT WITHOUT COMING BACK TO THE HLC?

D. KORABIAK ANSWERED THAT MINOR CHANGES CAN BE MADE TO A SITE PERMIT WITH A STAFF LEVEL SITE DEVELOPMENT PERMIT ADJUSTMENT. THE DIRECTOR OF PLANNING DECIDES WHAT CONSTITUTES A MINOR CHANGE.

PATT CURIA/PAC SJ ASKED IF THERE IS CURRENTLY ANY PERMIT REQUIREMENT FOR DEVELOPMENT WITHIN A CERTAIN RADIUS OF CITY LANDMARKS NOT IN THE DC DISTRICT. D. KORABIAK ANSWERED THAT THERE IS NOT, AND THAT PROJECTS ARE REFERRED TO THE HLC BY AGREEMENT ONLY.

ACTING CHAIR POLCYN ASKED IF THIS IS A ZONING OVERLAY, AND D. KORABIAK REPLIED THAT NO; THIS IS A DEVELOPMENT REGULATION IN THE DISTRICT.

ACTING CHAIR POLCYN STATED THAT HE QUESTIONED WHETHER THE 100 FT. RADIUS WAS ENOUGH, AND HE STATED HE WOULD LIKE TO SEE A GRAPHIC DEPICTION OF THE ZONING REQUIREMENTS IN ADDITION TO TEXT. POLCYN VOICED CONCERNS REGARDING THE PARKING INCENTIVES PROPOSED WHERE HISTORIC BUILDINGS WOULD BE WAIVED FROM PARKING REQUIREMENTS WHEN THERE IS A SQUARE FOOT EXPANSION TO THE BUILDING. POLCYN NOTED THE NEED FOR A RULE OF REASON FOR HOW GREAT THE EXPANSION MAY BE SO AS NOT TO COMPROMISE THE HISTORIC BUILDING. OTHERS ALSO VOICED CONCERN REGARDING THIS INCENTIVE.

KORABIAK ASKED FOR DIRECTION FROM THE COMMISSION ON THE PROPOSAL. POLCYN STATED THAT THE COMMISSION IS NOT IN A POSITION TO VOTE AT THIS TIME.

BUT IS CONCERNED ABOUT POTENTIAL IMPACTS. POLCYN SUGGESTED A FLOW DIAGRAM FOR EACH PROPOSED PROCESS OR PERMIT TYPE. POLCYN ALSO STATED THAT THE DESIGN GUIDELINES WOULD BE BENEFICIAL IF THEY APPLIED TO THE ENTIRE DOWNTOWN CORE, BUT THAT EXPANSION OF THE GUIDELINES IS A MUCH LARGER ISSUE TO ADDRESS. POLCYN STATED THAT THE PARKING INCENTIVES ARE GOOD BUT THAT THERE ARE CONCERNS ABOUT THE ALLOWANCE FOR EXPANSION OF HISTORIC BUILDINGS AND HOW “EXPANSION OF LANDMARK STRUCTURES SPECIFICALLY ALLOWED BY CODE” WILL BE INTERPRETED.

KORABIAK REITERATED THE SJRA INTEREST IN SEPARATING OUT THE HISTORIC DISTRICT DESIGN GUIDELINES FROM THE ZONING PROCESS.

JUDI HENDERSON (PAC SJ) VOICED SUPPORT FOR THE PARKING INCENTIVE FOR REUSE OF HISTORIC BUILDINGS. SHE STATED THAT THE DOWNTOWN ZONING HAS BEEN HELD UP FOR YEARS DUE TO THE NEED FOR AND PROMISE OF DESIGN GUIDELINES FOR HISTORIC BUILDINGS DOWNTOWN.

KATE BORUFF (PAC SJ) STATED THE NEED FOR A REFERENCE IN THE ZONING TO THE HISTORIC DESIGN GUIDELINES AND ASKED THAT THE PROCESS BE SLOWED DOWN IN ORDER TO INCORPORATE ALL PARTS OF THE PROCESS.

PATT CURIA/PAC SJ VOICED CONCERN ABOUT THE IMPLICATIONS OF EXPANSION ON CITY LANDMARK SITES. SHE NOTED THE EXAMPLE OF THE FIRST CHURCH OF CHRIST SCIENTIST SITE, WHICH HAS A LOT OF ROOM FOR EXPANSION.

ACTING CHAIR POLCYN CONCLUDED BY STATING THAT THE DESIGN GUIDELINES ARE THE BIGGEST ISSUE IN THE DOWNTOWN ZONING DISCUSSION. POLCYN SUGGESTED THAT IF THE ZONING MUST GO AHEAD OF THE DESIGN GUIDELINES THERE BE A TIMING PROVISION IN THE ZONING THAT REVOKES THE NEW ZONING ORDINANCE IF THE GUIDELINES ARE NOT

NO REPORT

8. ADJOURNMENT

2003 HISTORIC LANDMARKS COMMISSION MEETING SCHEDULE

DATE	TIME	TYPE OF MEETING	LOCATION
June 4, 2003	6:00 p.m.	Regular Meeting	Room 205
June 18, 2003	12:00 p.m.	Design Review Meeting	Room 400
July 2, 2003	6:00 p.m.	Regular Meeting	Room 205
July 16, 2003	12:00 p.m.	Design Review Meeting	Room 400
August 6, 2003	6:00 p.m.	Regular Meeting	Room 205
August 20, 2003	12:00 p.m.	Design Review Meeting	Room 400
September 3, 2003	6:00 p.m.	Regular Meeting	Room 205
September 17, 2003	12:00 p.m.	Design Review Meeting	Room 400
October 1, 2003	6:00 p.m.	Regular Meeting	Room 205
October 15, 2003	12:00 p.m.	Design Review Meeting	Room 400
November 5, 2003	6:00 p.m.	Regular Meeting	Room 205
November 19, 2003	12:00 p.m.	Design Review Meeting	Room 400
December 3, 2003	6:00 p.m.	Regular Meeting	Room 205
December 17, 2003	12:00 p.m.	Design Review Meeting	Room 400

HISTORIC LANDMARKS AGENDA ON THE WEB:

<http://www.ci.san-jose.ca.us/planning/sjplan/Hearings/hearings2003.htm>